

103D CONGRESS
1ST SESSION

H. R. 223

To grant the power to the President to reduce budget authority.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. KASICH introduced the following bill; which was referred jointly to the
Committees on Government Operations and Rules

A BILL

To grant the power to the President to reduce budget
authority.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Legislative Line Item
5 Veto Act of 1993”.

6 **SEC. 2. ENHANCEMENT OF SPENDING CONTROL BY THE**
7 **PRESIDENT.**

8 The Impoundment Control Act of 1974 is amended
9 by adding at the end the following new title:

1 “TITLE XI—LEGISLATIVE LINE ITEM VETO
2 RESCISSION AUTHORITY

3 “PART A—LEGISLATIVE LINE ITEM VETO RESCISSION
4 AUTHORITY

5 “GRANT OF AUTHORITY AND CONDITIONS

6 “SEC. 1101. (a) IN GENERAL.—Notwithstanding the
7 provisions of part B of title X and subject to the provisions
8 of part B of this title, the President may rescind all or
9 part of any budget authority, if the President—

10 “(1) determines that—

11 “(A) such rescission would help balance
12 the Federal budget, reduce the Federal budget
13 deficit, or reduce the public debt;

14 “(B) such rescission will not impair any
15 essential Government functions; and

16 “(C) such rescission will not harm the na-
17 tional interest; and

18 “(2)(A) notifies the Congress of such rescission
19 by a special message not later than 20 calendar days
20 (not including Saturdays, Sundays, or holidays)
21 after the date of enactment of a regular or supple-
22 mental appropriations Act or a joint resolution mak-
23 ing continuing appropriations providing such budget
24 authority; or

1 “(B) notifies the Congress of such rescission by
2 special message accompanying the submission of the
3 President’s budget to Congress and such rescissions
4 have not been proposed previously for that fiscal
5 year.

6 The President shall submit a separate rescission message
7 for each appropriations bill under paragraph (2)(A).

8 “(b) RESCISSION EFFECTIVE UNLESS DIS-
9 APPROVED.—(1)(A) Any amount of budget authority re-
10 scinded under this title as set forth in a special message
11 by the President shall be deemed canceled unless during
12 the period described in subparagraph (B) a rescission dis-
13 approval bill making available all of the amount rescinded
14 is enacted into law.

15 “(B) The period referred to in subparagraph (A) is—

16 “(i) a Congressional review period of 20 cal-
17 endar days of session under part B, during which
18 Congress must complete action on the rescission dis-
19 approval bill and present such bill to the President
20 for approval or disapproval;

21 “(ii) after the period provided in clause (i), an
22 additional 10 days (not including Sundays) during
23 which the President may exercise his authority to
24 sign or veto the rescission disapproval bill; and

1 “(iii) if the President vetoes the rescission dis-
2 approval bill during the period provided in clause
3 (ii), an additional 5 calendar days of session after
4 the date of the veto.

5 “(2) If a special message is transmitted by the Presi-
6 dent under this section during any Congress and the last
7 session of such Congress adjourns sine die before the expi-
8 ration of the period described in paragraph (1)(B), the
9 rescission shall not take effect. The message shall be
10 deemed to have been retransmitted on the first day of the
11 succeeding Congress and the review period referred to in
12 paragraph (1)(B) (with respect to such message) shall run
13 beginning after such first day.

14 “DEFINITIONS

15 “SEC. 1102. For purposes of this title the term ‘re-
16 scission disapproval bill’ means a bill or joint resolution
17 which only disapproves a rescission of budget authority,
18 in whole, rescinded in a special message transmitted by
19 the President under section 1101.

20 “PART B—CONGRESSIONAL CONSIDERATION OF
21 LEGISLATIVE LINE ITEM VETO RESCISSIONS

22 “PRESIDENTIAL SPECIAL MESSAGE

23 “SEC. 1111. Whenever the President rescinds any
24 budget authority as provided in section 1101, the Presi-
25 dent shall transmit to both Houses of Congress a special
26 message specifying—

1 “(1) the amount of budget authority rescinded;

2 “(2) any account, department, or establishment
3 of the Government to which such budget authority
4 is available for obligation, and the specific project or
5 governmental functions involved;

6 “(3) the reasons and justifications for the de-
7 termination to rescind budget authority pursuant to
8 section 1101(a)(1);

9 “(4) to the maximum extent practicable, the es-
10 timated fiscal, economic, and budgetary effect of the
11 rescission; and

12 “(5) all facts, circumstances, and considerations
13 relating to or bearing upon the rescission and the
14 decision to effect the rescission, and to the maxi-
15 mum extent practicable, the estimated effect of the
16 rescission upon the objects, purposes, and programs
17 for which the budget authority is provided.

18 “TRANSMISSION OF MESSAGES; PUBLICATION

19 “SEC. 1112. (a) DELIVERY TO HOUSE AND SEN-
20 ATE.—Each special message transmitted under sections
21 1101 and 1111 shall be transmitted to the House of Rep-
22 resentatives and the Senate on the same day, and shall
23 be delivered to the Clerk of the House of Representatives
24 if the House is not in session, and to the Secretary of
25 the Senate if the Senate is not in session. Each special
26 message so transmitted shall be referred to the appro-

1 priate committees of the House of Representatives and the
 2 Senate. Each such message shall be printed as a document
 3 of each House.

4 “(b) PRINTING IN FEDERAL REGISTER.—Any special
 5 message transmitted under sections 1101 and 1111 shall
 6 be printed in the first issue of the Federal Register pub-
 7 lished after such transmittal.

8 “PROCEDURE IN SENATE

9 “SEC. 1113. (a) REFERRAL.—(1) Any rescission dis-
 10 approval bill introduced with respect to a special message
 11 shall be referred to the appropriate committees of the
 12 House of Representatives or the Senate, as the case may
 13 be.

14 “(2) Any rescission disapproval bill received in the
 15 Senate from the House shall be considered in the Senate
 16 pursuant to the provisions of this section.

17 “(b) FLOOR CONSIDERATION IN THE SENATE.—

18 “(1) Debate in the Senate on any rescission dis-
 19 approval bill and debatable motions and appeals in
 20 connection therewith, shall be limited to not more
 21 than 10 hours. The time shall be equally divided be-
 22 tween, and controlled by, the majority leader and the
 23 minority leader or their designees.

24 “(2) Debate in the Senate on any debatable mo-
 25 tion or appeal in connection with such a bill shall be
 26 limited to 1 hour, to be equally divided between, and

1 controlled by, the mover and the manager of the bill,
2 except that in the event the manager of the bill is
3 in favor of any such motion or appeal, the time in
4 opposition thereto shall be controlled by the minority
5 leader or his designee. Such leaders, or either of
6 them, may, from the time under their control on the
7 passage of the bill, allot additional time to any Sen-
8 ator during the consideration of any debatable mo-
9 tion or appeal.

10 “(3) A motion to further limit debate is not de-
11 batable. A motion to recommit (except a motion to
12 recommit with instructions to report back within a
13 specified number of days, not to exceed 1, not count-
14 ing any day on which the Senate is not in session)
15 is not in order.

16 “(c) POINT OF ORDER.—(1) It shall not be in order
17 in the Senate or the House of Representatives to consider
18 any rescission disapproval bill that relates to any matter
19 other than the rescission of budget authority transmitted
20 by the President under section 1101.

21 “(2) It shall not be in order in the Senate or the
22 House of Representatives to consider any amendment to
23 a rescission disapproval bill.

1 “(3) Paragraphs (1) and (2) may be waived or sus-
2 pended in the Senate only by a vote of three-fifths of the
3 members duly chosen and sworn.”.

4 **SEC. 3. EFFECTIVE DATE.**

5 The amendment made by section 2 shall be applicable
6 only during the One Hundred Third Congress.

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